

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

United States of America,

Plaintiff,

v.

Cr. No. 13-20874

Erie Adams,

Honorable Sean Cox

Defendant.

ORDER DENYING
DEFENDANT'S MOTION FOR JUDGMENT OF ACQUITTAL

This matter is currently before the Court on Defendant Erie Adams's oral Motion for Judgment of Acquittal Pursuant to Rule 29. Defendant seeks acquittal as to all six counts but focuses his arguments as to Count One. Defendant contends that the Government has not presented evidence sufficient to establish his participation in a conspiracy beyond a reasonable doubt.

In considering a motion for judgment of acquittal under FED. R. CRIM. P. 29, this Court must determine whether, after reviewing the evidence in the light most favorable to the prosecution, any rational trier of fact could find the elements of the crime beyond a reasonable doubt. *United States v. Abner*, 35 F.3d 251, 253 (6th Cir. 1994); *United States v. Meyer*, 359 F.3d 820, 826 (6th Cir. 1979). In doing so, the Court does not weight the evidence, consider the credibility of witnesses, or substitute its judgment for that of the jury. *Id.*

The Sixth Circuit has explained that a defendant claiming insufficiency of the evidence "bears a very heavy burden." *Abner*, 35 F.3d at 253. On review, all evidence must be construed in a manner most favorable to the Government. Moreover, circumstantial evidence alone is sufficient

to sustain a conviction. *Id.*

Having considered Defendant's motion, and viewing the evidence presented at trial in the light most favorable to the prosecution, the Court concludes that a rational trier of fact could find the essential elements of all of the crimes charged beyond a reasonable doubt.

Accordingly, **IT IS ORDERED** that Defendant's Motion for Judgment of Acquittal is **DENIED**.

IT IS SO ORDERED.

S/Sean F. Cox
Sean F. Cox
United States District Judge

Dated: June 23, 2014

I hereby certify that a copy of the foregoing document was served upon counsel of record on August 6, 2012, by electronic and/or ordinary mail.

S/Jennifer McCoy
Case Manager